

**RIO DELL CITY COUNCIL  
REGULAR MEETING  
MAY 5, 2009  
MINUTES**

The Regular Meeting of the Rio Dell City Council was called to order at 5:30 P.M. by Mayor Woodall.

ROLL CALL: Present: Mayor Woodall, Councilmembers Barsanti, Dunker, Marks and Thompson

Others Present: City Manager Flemming, Chief of Police Hill, Finance Director Beauchaine, City Clerk Dunham, City Attorney Martinek, and Planning Consultant Williamson

**CLOSED SESSION**

Mayor Woodall announced the City Council would be adjourning to closed session for: *Pending Litigation (Government Code Section 54956.9); and Public Performance Evaluation – City Manager (Government Code Section 54957)* and asked for public comment. There being no public comment, the Council adjourned to closed session at 5:30 P.M.

The regular meeting reconvened at 6:30 P.M. Mayor Woodall announced there was no action taken in closed session and that the Council would be adjourning back into closed session at the conclusion of the meeting.

**CONSENT CALENDAR**

Councilmember Marks referred to page 2, paragraph 4 of the March 25, 2009 minutes stating that she understood that probationary employees were not allowed to take vacation time off during the first year of employment no matter what, however the minutes stated that the consensus was that each individual case be determined by the City Manager, She also noted a correction to the 5<sup>th</sup> paragraph stating that it should read that a thirty minute lunch break must be provided for every six hours worked rather than seven hours as stated. For further clarification she noted that she said that it “may” be illegal for employees to work through lunch and leave early rather than “it is” illegal.

Motion was made by Thompson/Marks to approve the consent calendar including the minutes of the March 3, 2009 Study Session; the minutes of the March 25, 2009 Study Session as amended; the minutes of the March 25, 2009 Special Meeting; the minutes of the April 2, 2009 Study Session; and the check register for check numbers 27100-27143 totaling \$79,617.67; and the payroll check register for check numbers 14648-14670 totaling \$24,963.22. Motion carried 5-0.

## ORDINANCES/SPECIAL RESOLUTIONS

### Approve Resolution No. 1046-2009 Establishing Fees Charged to Planned Development Projects for Park Development

George Williamson, Contract City Planner explained this resolution will create and authorize the collection of park development impact fees on residential planned development (PD) of \$1,500 per residential unit, to be used to acquire parkland for the City. He stated the City is in need of more parks and requiring parkland dedication or payment of park in lieu fees, consistent with the State Quimby Act, is a viable mechanism to rectify this situation.

He said the park development fees as presented were quantified, one using documented population and land acquisition costs which allows the City an equitable way to calculate the cost for charging new residential planned developments. The fees will be required to be paid by the developer prior to recordation of the final parcel map or issuance of a building permit.

George noted that these type of fees are charged in most municipalities, in recognition of dwindling public revenues that limit the City's ability to maintain public infrastructure improvements otherwise provided by the General Fund.

Councilmember Dunker asked if this resolution was passed through the Parks & Recreation Commission for input; City Manager Flemming stated it was her understanding that it was only discussed with the City Council and Planning Commission.

Councilmember Marks asked if the use of the fees were restricted to land acquisition or if it could be utilized to development existing city property; George explained the intent of the language was that it could be used either for acquisition of new parkland or development of existing parkland areas.

Councilmember Barsanti asked if the fee would apply to existing individual lots; George explained the fee would only be assessed on parcels within the Planned Development Overlay zone but if the Council desired could implement a citywide impact fee for parks. He said the Council should also consider establishing impact fees for streets, drainage and lighting.

Councilmember Dunker asked if additional impact fees would discourage development during these hard economic times and if the fees could be layered over a few years to minimize the impact; George stated the Parkland in-lieu fee would most likely not affect development as the apportionment can be passed on to the buyer and financed with the mortgage.

City Manager Flemming stated the Council could if so desired, consider approving the resolution for Parkland Development fees but create provisions for potential discounts during tough economic times.

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Mayor Woodall said she liked the idea of implementing these fees for Planned Development projects initially, then coming back to the Council at a future date to consider possible implementation of fees on other new construction.

Finance Director Beauchaine stated if the Council approves the resolution, staff would come back to the Council for approval of the establishment of a Park Development Fund and any money collected would be put into that fund and restricted for that use only.

Councilmember Barsanti commented that most other cities collect school fees and other fees such as drainage impact fees and said the longer the City waits to impose development fees the longer it will take to see any improvement to our parks and said although this is a step in the right direction, we still need to move forward with implementation of other development fees such as drainage impact fees.

Motion was made by Dunker/Marks to approve Resolution No. 1046-2009 *Park Development Fees for Residential Planned Development*. Motion carried 5-0.

#### **SPECIAL CALL ITEMS**

Approve Water Bill Adjustment Claim for James Cortazar at 622/625 Monument Road in the Amount of \$132.87

City Manager Flemming stated this is a water bill adjustment claim over \$100.00 which requires Council approval. She noted the excessive use was the result of an undetected water line break between the water meter and the residence.

Motion was made by Dunker/Thompson to approve the water bill adjustment claim for James Cortazar at 622/625 Monument Road in the amount of \$132.87. Motion carried 5-0.

#### **PUBLIC PRESENTATIONS**

None

#### **REPORTS/STAFF COMMUNICATIONS**

City Manager Flemming reported on recent activities and meetings stating that her focus over the past two weeks was in regard to the EPA Brownfield Grant funded soil boring and testing of the Eel River Sawmill site stating testing was scheduled to take place on May 18<sup>th</sup>. She said she had received written authorization from Bob Mozzetti for site specific soils and groundwater testing and Winzler & Kelly would be coordinating that testing. She also reported that she had attended a City Manager's meeting where Sean McLaughlin from Access Humboldt gave an update on Suddenlink's annual audit in accordance with their Franchise Agreement. Also discussed at that meeting was project funding under the American Reinvestment and Recovery Act (ARRA) stating that all of the local cities were preparing applications for project funding. Lastly, she

announced that Chief Hill had reclassified Sarah Asbury as a Records Clerk since she had completed the necessary training and would be a non-sworn employee of the Police Association effective with the next pay period.

Chief of Police Hill reported on recent activities in the police department and stated the Records Management Course he and his Records Clerk attended was very beneficial to the department; stated he missed the deadline for submittal of the last grant application but would be coming back to the Council on May 19<sup>th</sup> with a request for approval of the submittal of an alternate grant application; and announced Kevin Harralson would be graduating from the police academy in the top ten of his class on June 12<sup>th</sup> and invited Council members to attend.

Finance Director Beauchaine reported on recent activities in the finance department and stated her primary focus over the past two weeks has been on the 2009-2010 Budget process. She asked that the Council reschedule the budget study session scheduled for that morning that was cancelled due to the lack of a quorum; Council concurred to reschedule the budget study session for Friday, May 8<sup>th</sup> at 5:30 P.M.

#### **COUNCIL REPORTS/COMMUNICATIONS**

Mayor Woodall commented that she had received some complaints from citizens regarding dumping of garbage off Edwards Dr. and asked Chief Hill what he thought about securing the area with a locked gate as previously discussed; Chief Hill agreed with the concept stating there was no real legitimate use for accessing the river bar at night; therefore could see no reason there should not be a locked gate. He stated that much of the property in question is private and that 90% of the complaints received are related to night activities. He indicated the police department could routinely lock the gate in the evening with a phone number posted in the event of an emergency or if someone were to get locked in.

Councilmember Barsanti expressed concern over citizens losing access to the river bar especially during fishing season.

Chief of Police Hill commented that a gate wouldn't prevent all dumping and the City would most likely experience some damage due to vandalism but it would still be cheaper than the cost of the clean-up of garbage and junk.

Also discussed was the access to the river bar from Davis St.; Chief of Police Hill said it was his opinion that the City owns everything to the south of the gate and as a result could provide better access.

Chief Hill was asked to come back to the Council with a recommendation for addressing the illegal dumping on Edwards Dr.

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Councilmember Dunker reported on his attendance at the League of California Cities Division meeting in Lakeport with the focus of the meeting on Disaster Preparedness Training, and said he was happy to announce that the City would be hosting the first ever League of California Cities Division meeting here on July 31<sup>st</sup> during Wildwood Days.

**CLOSED SESSION (Continued)**

Mayor Woodall announced the Council would be reconvening into closed session to continue discussion of: *Pending Litigation (Government Code Section 54956.9); and Public Performance Evaluation – City Manager (Government Code Section 54957)* and asked for public comment. There being no public comment, the Council adjourned to closed session at 7:48 P.M.

The meeting reconvened at 9:25 P.M. Mayor Woodall announced that no reportable action was taken in closed session.

**ADJOURNMENT**

There being no further business to discuss, the meeting adjourned at 9:27 P.M.

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Julie Woodall, Mayor

Attest:

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Karen Dunham, City Clerk